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September 24, 2019

VIA ECF

Hon. Stanley R. Chesler, U.S.D.J.  
United States District Court  
For the District of New Jersey  
Frank R. Lautenberg U.S. Post Office  
and Court House  
2 Federal Square  
Newark, New Jersey 07102

**Re: *MEPT Lincoln Crossing LLC v. Towers Associates, Ltd.*  
Civil Action No. 2:19-cv-17639-SRC-CLW (“Towers #1”)**

***Towers Associates, Ltd., v MEPT Lincoln Crossing LLC*  
Civil Action No. 2:19-cv-17515-SRC-CLW (#Towers #2”)**

Dear Judge Chesler:

We represent Towers Associates, Ltd. (“Towers”), the defendant in the first captioned matter, and the plaintiff in the second captioned matter. I write pursuant to Your Honor’s Orders to Show Cause in each matter (Towers #1, dated September 11, 2019, ECF 4; Towers #2 dated September 11, 2019, ECF 5), that Towers establish subject matter jurisdiction, i.e., complete diversity for purposes of 28 U.S.C. § 1332(a).

We have consulted with counsel for MEPT Lincoln Crossing LLC (“MEPT”), who has shared the structure and a redacted members list of MEPT. We have concluded therefrom that there is not diversity jurisdiction. Accordingly, we will be filing a voluntary dismissal without prejudice of Towers #2 immediately after filing this letter, and hereby consent to a remand of Towers #1.

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Thank you for your courtesies in this regard.

Respectfully submitted,

**Sills Cummis & Gross P.C.**

*/s/ David W. Phillips*

David W. Phillips

DWP:

Cc: John A. Basinger, Esq. (Via Email)  
Valerie G. Pennacchio, Esq. (Via Email and ECF)